THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 18434 of 2007

Date:11-09-2007

Between:

Mukundapur Gram Panchayat, Anandapuram Mandal

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Petitioner

AND

The District Collector, Visakhapatnam and two others

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RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the impugned proceedings of the Revenue Divisional Officer, 2nd respondent passed in Rc.No.3927/2007/CC, dated 20.07.2007 allotting the Gram Kantam land for the purpose of house sites in favour of S.Cs. contrary to the resolution of the Gram panchayat and also Grama Sabha, as illegal and arbitrary.

The petitioner questions the order, dated 20.07.2007 passed by the 2nd respondent in rejecting the objections of the petitioner for allotment of Ac.0-03 cents of land in Sy.No.91 to the scheduled caste people of Anandapuram village.

Learned Government Pleader for Revenue appearing for the respondents submits that after considering the objections of the petitioner, the site in question was inspected and found in occupation of the scheduled caste people of Anandapuram village and the said site is abutting the scheduled castes colony and since the village is notified under Indiramma Phase-II programme, the second respondent came to the conclusion that it is just and proper to allot the said house sites in favour of the scheduled caste people and accordingly house site pattas have been distributed in favour of Smt.Kinthada Lakshmi Kala and Kinthada Varalakshmi.

The learned counsel appearing for the petitioner seeks to avail the remedy of appeal by impleading the aforesaid two persons viz. Smt.Kinthada Lakshmi Kala and Kinthada Varalakshmi in whose favour house site pattas were distributed.

Accordingly, the writ petition is dismissed as withdrawn with

liberty to file an appeal against the impugned order. No costs.

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V.ESWARAIAH, J.

Date:11.09.2007
ccm